



General Assembly

Substitute Bill No. 220

February Session, 2004

* SB00220ENV__031704__ *

AN ACT CONCERNING PESTICIDES AT SCHOOLS AND DAY CARE FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-231a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 As used in sections 10-231b to 10-231d, inclusive, [and section 19a-
4 79a,] "pesticide" means a fungicide used on plants, an insecticide, a
5 herbicide or a rodenticide but does not mean a sanitizer, disinfectant,
6 antimicrobial agent or a pesticide bait, and "lawn care pesticide" means
7 a pesticide registered by the United States Environmental Protection
8 Agency and labeled pursuant to the federal Insecticide, Fungicide and
9 Rodenticide Act for use in lawn, garden and ornamental sites or areas.

10 Sec. 2. (NEW) (*Effective October 1, 2004*) Notwithstanding the
11 provisions of sections 10-231b to 10-231d, inclusive, of the general
12 statutes, no person shall apply a lawn care pesticide on the grounds of
13 any public or private elementary school. This section shall not apply in
14 the case of an emergency application of a lawn care pesticide to
15 eliminate an immediate threat to human health, provided such
16 emergency application does not involve a restricted use pesticide, as
17 defined in section 22a-47 of the general statutes.

18 Sec. 3. Section 19a-79a of the general statutes is repealed and the

19 following is substituted in lieu thereof (*Effective October 1, 2004*):

20 (a) As used in this section, "pesticide" means a fungicide used on
 21 plants, an insecticide, a herbicide or a rodenticide but does not mean a
 22 sanitizer, disinfectant, antimicrobial agent or a pesticide bait, and
 23 "lawn care pesticide" means a pesticide registered by the United States
 24 Environmental Protection Agency and labeled pursuant to the federal
 25 Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and
 26 ornamental sites or areas.

27 (b) [On and after July 1, 2000, no] No application of pesticide may be
 28 made in any building or on the grounds of any child day care center,
 29 group day care home or family day care home, each as described in
 30 section 19a-77, as amended, during regular business hours except that
 31 an emergency application may be made to eliminate an immediate
 32 threat to human health if (1) it is necessary to make the application
 33 during regular business hours, and (2) such emergency application
 34 does not involve a restricted use pesticide, as defined in section 22a-47.
 35 No child enrolled at such center or home may enter an area where
 36 pesticides have been applied until it is safe to do so according to the
 37 provisions on the pesticide label.

38 (c) Notwithstanding the provisions of subsection (b) of this section,
 39 no person shall apply a lawn care pesticide on the grounds of any child
 40 day care center or group day care home, as described in section 19a-77,
 41 as amended, except that an emergency application may be made to
 42 eliminate an immediate threat to human health, provided such
 43 emergency application does not involve a restricted use pesticide, as
 44 defined in section 22a-47.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>

ENV *Joint Favorable Subst.*